

**MINUTES OF THE MEETING OF THE CITY COUNCIL**

Wichita, Kansas, April 4, 2000  
Tuesday, 9:04 A.M.

The City Council met in regular session with Mayor Knight in the Chair. Council Members Cole, Lambke, Martz, Pisciotte, Rogers; present. \*Council Member Gale absent.

Chris Cherches, City Manager; Gary Rebenstorf, Director of Law; Pat Burnett, City Clerk; present.

The invocation was given by Waris Jaffery – Islamic.

The pledge of allegiance to the flag was participated in by the Council Members, staff, and guests.

Minutes -- approved

The minutes of the regular meeting of March 28, 2000, were approved 6 to 0. (Gale absent)

**AWARDS AND PRESENTATIONS**

PROCLAMATIONS

Proclamations previously approved were presented.

YOUTH SERVICE

\*Council Member Gale present.  
Wichita's Promise - Youth Community Service Awards were presented.

**PUBLIC AGENDA**

Comments by Robert Hartman, Kansas Children's Service League - Fluoridation.

Robert Hartman

Robert Hartman said fifty years of research have proven that fluoridation is safe and works. If the water were fluoridated, poor, disadvantaged children would have fewer cavities and dental diseases. There are 24,000 disadvantaged children in this area and 42 percent of Kansas have no dental care coverage.

Fluoridation might be the only means of dental care for lower-income families.

**UNFINISHED BUSINESS**

WATER SYSTEM

**PETITION TO CONSTRUCT A WATER DISTRIBUTION SYSTEM TO SERVE AN AREA SOUTH OF 63RD STREET SOUTH, WEST OF THE ARKANSAS RIVER.** (District III)  
Continued from March 21, 2000.

Mike Lindebak

City Engineer reviewed the Item.

Agenda Report No. 00-0264.

The signatures on the Petition represent 116 of 192 (60.4%) owners and 49% of the improvement district area. A February 17, 2000, neighborhood meeting was held to discuss the Petition. Sixteen property owners were present. Most indicated support for the project.

# CITY COUNCIL PROCEEDINGS

JOURNAL 170

APRIL 4, 2000

PAGE 389

The improvement district is a mixed use area that is predominantly residential in character. There are several large tracts that are undeveloped. Area residents report that the well water is poor quality. The area is planned for annexation by the City of Wichita.

The estimated project cost is \$1,900,000 with \$1,596,000 assessed to the improvement district and \$304,000 paid by the Water Utility. The Utility share is for the cost of oversizing the pipe to serve future development beyond the improvement district. The proposed method of assessment is the square foot basis. The estimated rate of assessment is \$00.14 per square foot of ownership. An area property owner with a large residential lot has requested that the method of assessment be changed to the per unit basis. Residents of the Pine Bay neighborhood, a golf course/residential development, have requested that their fairway easements be removed from the improvement district.

Mayor Knight

Mayor Knight inquired whether anyone wished to be heard.

Kim Edgington

Kim Edgington, representing George Clark, said Mr. Clark had the well tested for 35 different substances and all tests results showed the substances as being non-detectable. This would create an extreme economic hardship on residents with limited incomes in the area.

Motion --

Lambke moved that the Petition be approved with the following actions:

- 1) South River Addition be removed from project improvement district area. (reduced project cost)
- 2) Pine Bay Estates golf course easements be removed from district
- 3) The two large property owners that currently have agricultural use continue to be included in improvement district. Owners continue to have right to apply for agricultural deferral for property so long as the use remains agricultural;

-- carried

the Resolution be adopted; and the Staff Screening and Selection Committee be authorized to select a design engineer. Motion carried 7 to 0.

## RESOLUTION NO. R-00-135

Resolution of findings of advisability and Resolution authorizing construction of Water Distribution System Number 448-89424, (south of 63<sup>rd</sup> Street South, west of the Arkansas River), in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Lambke moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

## WATER SYSTEM

### **RECONSIDERATION OF RESOLUTION NO. R-99-384 - PETITION FOR WATER DISTRIBUTION SYSTEM - 57TH TO 63RD STREETS SOUTH.** (District III)

Gary Rebenstorf

Director of Law reviewed the Item.

Agenda Report No. 99-981 A.

On October 12, 1999, the Council considered a petition seeking water distribution system improvements for an area located outside the city limits between 57<sup>th</sup> Street to 63<sup>rd</sup> Street South and west of the Riverside Drainage Ditch. The petition called for apportioning the costs of these improvements on a square foot basis. The Council, based on comments from several owners of property in the improvement district, approved the petition but modified the method of assessment to provide for apportioning the costs on a modified fractional basis.

Further review of the improvement district and ownership records indicate that apportioning costs on a modified fractional basis would result in a spread of assessments which does not appropriately allocate the costs of the project in a manner consistent with the benefits each parcel of land receives. The proposed amendment apportions costs on a square foot basis, consistent with the petition.

The estimated project cost is \$1,660,000. This area is now within the City limits and; therefore, the Water and Sewer Utility will pay a portion (10%) of the project representing the costs of constructing oversized lines to serve future development. For the portion of the total cost paid by the improvement district, the estimated rate of assessment is 21.7¢ per square foot.

The petition submitted last fall is sufficient under state law and the Council may amend the provisions of Resolution R-99-384 to change the method of apportioning the costs of the project from a modified fractional basis to a square foot basis, and to reflect the reduction in the share to be paid by the improvement district.

# CITY COUNCIL PROCEEDINGS

JOURNAL 170

APRIL 4, 2000

PAGE 390

Mayor Knight

Mayor Knight inquired whether anyone wished to be heard.

Timothy York

Timothy York said the 1 to 1.5 method would provide \$2,500 difference in assessment while with the other method, one owner would pay three times as much as one sharing a common property line.

Mr. York said he did not choose to have a larger lot. Persons with smaller lots do not incur the high cost of maintenance required by larger lots.

Motion --

Lambke moved that the Resolution amending Sections 2 and 4 of Resolution R-99-384 to reflect the reduction in the share of the costs of the project to be paid by the improvement district, and to change the method of assessing the costs of the water distribution system improvements to a square foot basis be adopted. Motion carried 7 to 0.

-- carried

## RESOLUTION NO. R-00-136

A Resolution amending Sections 2, 3 and 4 of Resolution No. R-99-384 pertaining to construction of water distribution system improvements in an area between 57<sup>th</sup> Street South and 63<sup>rd</sup> Street South and west of the Riverside Drainage Ditch, 448-89423, in the City of Wichita, Kansas, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

## NEW BUSINESS

### PAVE BULLINGER

### PETITION TO PAVE BULLINGER, SOUTH OF 27TH STREET NORTH. (District VI)

Mike Lindebak

City Engineer reviewed the Item.

Agenda Report No. 00-0337.

The signatures on the Petition represent 9 of 12 (75%) of resident owners and 39.9% of the improvement district area. A March 9, 2000 neighborhood meeting was held to discuss the Petition. No property owners were present.

Bullinger is an unimproved sand road that provides access to an area of single-family homes and a church building.

The project budget contained in the petition is \$75,000 with the total assessed to the improvement district. The method of assessment is the square foot basis. The estimated rate of assessment is \$00.28 per square foot of ownership. The project budget includes an estimated amount for the construction of drive approaches which are assessed directly to individual properties and are in addition to the estimated amount to construct the street.

Mayor Knight

Mayor Knight inquired whether anyone wished to be heard and no one appeared.

Motion --

Cole moved that the Petition be approved and the Resolution be adopted; and the Staff Screening and Selection Committee be authorized to select a design engineer. Motion carried 7 to 0.

-- carried

## RESOLUTION NO. R-00-137

Resolution of findings of advisability and Resolution authorizing improving of Bullinger, from 120' north of the north line of 26<sup>th</sup> Street North to the south line of 27<sup>th</sup> Street North – south of 27<sup>th</sup> Street North) 472-83210, in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Cole moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

### CONSOLIDATED PLAN APPROVAL OF HUD CONSOLIDATED PLAN.

Tom Smith

Grants In-Aid Coordinator reviewed the Item.

Agenda Report No. 00-0338.

The U.S. Department of Housing and Urban Development (HUD) requires submittal of a Consolidated Plan/Combined Application for the Community Development Block Grant (CDBG), the HOME Investment

# CITY COUNCIL PROCEEDINGS

JOURNAL 170

APRIL 4, 2000

PAGE 391

Partnerships (HOME) and the Emergency Shelter Grant (ESG) program. Staff have prepared the plan which includes the priority needs, a Five-Year Strategic Plan (2000-2004), a One-Year Action Plan (2000-2001), and the Citizen Participation Plan. The One-Year Action Plan includes the annual funding allocations made by the City Council on March 7, 2000.

The City's preliminary 2000-2004 Five-Year Strategic Plan identifies needs and general strategies to be employed to address needs. The preliminary 2000-2001 One-Year Action Plan lists the specific federal resources expected to be available from various grant assistance programs to address priority needs (as adopted by the City Council); a description of the activities funded by the City Council; and the geographic location of the activities to be undertaken during the fiscal year. The 2000-2001 One-Year Action Plan covers the period July 1, 2000 through June 30, 2001. The proposed Plan also includes the amended Citizen Participation Plan approved by the City Council March 28, 2000.

The 2000-2001 One-Year Action Plan totals \$5,855,000 and is comprised of grant funds and estimated income (primarily from revolving funds such as Historic Loans). Other funds include unexpended funds from prior year completed projects. All of the Consolidated Plan funds have been previously allocated by the City Council and committed to revolving funds or approved projects. Including the Section 108 Loan Guarantee and Economic Development Initiative funds, a total of \$10,193,700 will be available for approved projects.

The City has met all federal requirements to proceed with issuance of a preliminary Consolidated Plan/Combined Application. A thirty-day public comment period is required before the Plan can be formally adopted and submitted to HUD.

Mayor Knight

Mayor Knight inquired whether anyone wished to be heard and no one appeared.

Motion --  
-- carried

Knight moved that the preliminary 2000-2004 Consolidated Plan/Combined Application be approved and implementation of the public comment period be authorized. Motion carried 7 to 0.

## **CESSNA**

### **CESSNA INDUSTRIAL DISTRICTS (WALLACE AND PAWNEE) EXPANSION.**

Gary Rebenstorf

Director of Law reviewed the Item.

Agenda Report No. 00-0339.

On February 27, 1979, the City Commission adopted resolutions recommending the approval of Cessna Aircraft's petitions for the incorporation of the Pawnee Industrial District and the Wallace Industrial District. The County Commission ordered the incorporation of those two districts on February 28, 1979. In May of 1979 the City approved ordinances authorizing agreements with Cessna providing for the non-annexation of property within the two districts. Additional land was included in each industrial district in August of 1987. The non-annexation agreements were for 20 years, the maximum allowed by State law. On June 15, 1999, the City Council extended those non-annexation agreements for another 20 years.

Cessna is now seeking the City of Wichita's recommendation in support of an expansion of the two industrial districts. Cessna also seeks an amendment of the non-annexation agreements to cover the proposed new expansion areas.

Cessna Aircraft Company has filed petitions with Sedgwick County to include newly acquired properties within the existing Pawnee and Wallace Industrial Districts. Because the properties are within 3 miles of the Wichita City limits, City consent to the expansion is required under State law. Timing of the expansion is important to Cessna because of the infrastructure construction necessary to its plans to build a new \$12.5 million Cessna parts distribution facility.

The following documents are presented for Council consideration:

1. Resolution recommending that the described lands be added to the existing industrial districts.
2. Supplemental Contract amending the contract approved on June 15, 1999, which states that the City of Wichita will not annex any land in the industrial district for 20 years. The term of the contract remains the same (June 15, 2019) and expires on the same date for all of the property in the district
3. Ordinance authorizing the execution of the Supplemental Contract.

# CITY COUNCIL PROCEEDINGS

JOURNAL 170

APRIL 4, 2000

PAGE 392

Similar documents are prepared for each industrial district.

The current City budget has not projected property tax revenue from property located within the Cessna industrial districts or the expansion areas. There would be no reduction in City tax revenue as a result of the expansion of the districts.

Mayor Knight

Mayor Knight inquired whether anyone wished to be heard and no one appeared.

Motion --

Gale moved that the expansion of the Wallace Industrial District and Pawnee Industrial District be approved; the Resolutions be adopted; and the Ordinances authorizing the supplement Agreement on non-annexation be placed on first reading. Motion carried 7 to 0.

-- carried

## RESOLUTION NO. R-00-138

A Resolution by the City of Wichita, Kansas recommending that the petition for including certain additional lands in the Wallace Industrial District of Sedgwick County, Kansas be granted, presented. Gale moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

## RESOLUTION NO. R-00-139

A Resolution by the City of Wichita, Kansas recommending that the petition for including certain additional lands in the Pawnee Industrial District of Sedgwick County, Kansas be granted, presented. Gale moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

## ORDINANCE

An Ordinance authorizing the execution of a supplemental contract amendment to a supplemental contract dated June 15, 1999, by and between the City of Wichita, Kansas, and the Wallace Industrial District of Sedgwick County, Kansas, relating to the annexation by said City of any part of such industrial district, introduced and under the rules laid over.

## ORDINANCE

An Ordinance authorizing the execution of a supplemental contract amendment to a supplemental contract dated June 15, 1999, by and between the City of Wichita, Kansas, and the Pawnee Industrial District of Sedgwick County, Kansas, relating to the annexation by said City of any part of such industrial district, introduced and under the rules laid over.

## **WATER SUPPLY LOAN KANSAS PUBLIC WATER SUPPLY LOAN FUND.**

Allen Bell

Financial Projects Director reviewed the Item.

Agenda Report No. 00-0340.

On August 6, 1996, President Clinton signed the Safe Drinking Water Act (SDWA) Amendments of 1996. Section 1452 of the Act established the Drinking Water Loan Fund (DWLF) to assist public water supply systems in financing costs of infrastructure to achieve and/or maintain compliance with SDWA requirements and to protect public health. Legislation creating The Kansas Public Water Supply Loan Fund (KPWSLF) was passed in 1994 and may be found in K.S.A. 1998 Supp. 65-163d through 65-163u. The appropriation for Kansas for FY99 is \$775 million.

The Water & Sewer Department submitted a preliminary request for a loan of \$12.13 million for reimbursement of expenses associated with the Northeast Water Transmission Main. The loan has been tentatively approved pending a public hearing, an environmental review, and enactment of a Resolution by the City Council.

The interest rate on the loan will be 80% of the 90 day bond index and will be secondary to other revenue bond debt. The loan will not impact the credit rating of the General Fund, nor the ability of the General Fund to issue bonds. Interest will accrue as the Utility draws down the funds, and only the amount actually spent on the project will be borrowed. The Finance Department concurs with the loan request.

# CITY COUNCIL PROCEEDINGS

JOURNAL 170

APRIL 4, 2000

PAGE 393

Mayor Knight

Mayor Knight inquired whether anyone wished to be heard and no one appeared.

Motion --

Knight moved that the Resolution authorizing the completion of the loan application to the Kansas Department of Health and Environment for a loan from the Kansas Public Water Supply Loan Fund be adopted. Motion carried 7 to 0.

-- carried

## RESOLUTION NO: R-00-140

A Resolution of the City of Wichita, Kansas, authorizing the completion of an application to the Kansas Department of Health and Environment regarding a loan from the Kansas public water supply fund, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

(The following Item was taken up later in the meeting; action is shown in agenda order.)

### AIRPORT BOND SALE

**GENERAL OBLIGATION AIRPORT BOND SALE SERIES, 2000A (TAX EXEMPT) AND SERIES, 2000B (SUBJECT TO AMT; AND GENERAL OBLIGATION AIRPORT TEMPORARY NOTE SALE SERIES A, 2000 (TAX EXEMPT) AND SERIES B, 2000 (SUBJECT TO AMT).**

Kelly Carpenter

Assistant Director of Finance reviewed the Item.

Agenda Report No. 00-0341.

The City is offering for sale two series of General Obligation Airport Temporary Notes totaling \$1,630,000 and two series of General Obligation Airport Bonds totaling \$3,595,000 for the purpose of providing temporary and permanent financing for duly authorized capital improvement projects for both the Mid-Continent and Jabara Airports.

Temporary financing will be composed of General Obligation Airport Renewal and Improvement Temporary Notes, Series A, 2000 (Tax Exempt), in the principal amount of \$730,000 and Series B, 2000 (Subject to AMT) in the principal amount of \$900,000. The Series B, 2000 Notes are subject to the alternative minimum tax ("AMT") because the improvements being financed directly benefit private businesses at the airports, such as the airlines.

The proceeds from the sale of the Series 2000A (Tax Exempt) and the Series 2000B (Subject to AMT) Bonds will be used to permanently finance certain airport improvement projects, including improvements to terminal buildings, the airfield, other airport facilities, ground transportation, equipment and other miscellaneous items. The Series 2000A Bonds will be issued in the aggregate amount of \$840,000 and the Series 2000B Bonds will be issued in the aggregate amount of \$2,755,000.

Sealed bids will be accepted until 10:30 a.m. CST at the City Council Office, at which time the bids will be publicly opened. No bids will be accepted after the 10:30 a.m. deadline. The bids will be verified, tabulated and presented to the City Council at 11:30 a.m. By law, the City must award the sale of the bonds and notes to the bidder whose proposed interest rates result in the lowest net interest cost to the City.

Both series of temporary notes will mature on April 26, 2001 and will be retired at that time, either with PFCs, the proceeds from the sale of permanent financing bonds or renewal notes. These series of bonds will mature serially over 10 years with principal maturities structured to produce level annual payments of principal and interest. The bonds will be callable in 2005 with a 1% call premium. The airport facilities will make the payments of the principal and interest on any and all financing to be issued.

Bond Counsel will review and approve the bids and the Law Department will approve the authorizing Bond Ordinances which have been prepared by Bond Counsel.

The following low bids were presented for approval:  
Airport General Obligation Bonds, Series 2000A - \$840,000

Dean Witter Reynolds	
Total Interest Cost to Maturity at rate specified	\$249,296.88
Less Premium	- 0 -
Net Interest Cost to Maturity	\$249,296.88
Net Average Interest Rate	5.0773%

# CITY COUNCIL PROCEEDINGS

JOURNAL 170

APRIL 4, 2000

PAGE 394

## Airport General Obligation Bonds (AMT), Series 2000B - \$2,755,000

Paine Webber	
Total Interest Cost to Maturity at rate specified	\$840,175.42
Less Premium	- 0 -
Net Interest Cost to Maturity	\$840,175.42
Net Average Interest Rate	5.210256%

## G.O. Airport Improvement Temporary Notes (Tax Exempt), Series A, 2000 - \$730,000

CIBC World Markets	
Total Interest Cost to Maturity at Rate Specified	\$34,578.68
Less Premium	- \$25.00
Net Interest Cost to Maturity	\$34,553.68
Net Average Interest Rate	4.7465%

## G.O. Airport Improvement Temporary Notes (AMT), Series B, 2000 - \$900,000

CIBC World Markets	
Total Interest Cost to Maturity at Rate Specified	\$42,631.25
Less Premium	- \$25.00
Net Interest Cost to Maturity	\$42,606.25
Net Average Interest Rate	4.747%

Mayor Knight

Mayor Knight inquired whether anyone wished to be heard and no one appeared.

Motion --

Knight moved that the sale be awarded as outlined above; the Declarations of Emergency be approved; the Ordinances be placed on their passage and adopted on the date of their introduction, all in accordance with K.S.A. 12-3001; and the necessary signatures be authorized. Motion carried 7 to 0.

-- carried

### ORDINANCE NO. 44-626

An Ordinance authorizing and providing for the issuance of City of Wichita, Kansas General Obligation Airport Renewal and Improvement Temporary Notes, Series A, 2000 and General Obligation Renewal and Improvement Temporary Notes, Series B, 2000, (subject to AMT), in the aggregate principal amount of \$1,630,000, for the purpose of providing the necessary funds to renew portions of the principal amount of temporary notes previously issued for interim construction financing of costs in connection with certain Airport improvements, and for interim construction financing of new costs in connection with certain Airport improvements, to the Wichita Mid-Continent Airport Facilities operated by the Wichita Airport Authority of the City; prescribing the terms and details of the notes; providing for the payment of the principal of and the interest on the notes when it becomes due and payable; and making certain other covenants and agreements with respect thereto. Knight moved that the Ordinance be placed on its passage and adopted on the date of its introduction, all in accordance with K.S.A. 12-3001. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

### ORDINANCE NO. 44-627

An Ordinance authorizing and providing for the issuance of City of Wichita, Kansas General Obligation Airport Bonds, Series 2000A and Series 2000B (subject to AMT), in the principal amount of \$3,595,000, for the purpose of providing the necessary funds for permanent financing of costs in connection with the making of certain airport improvements to the Wichita Mid-Continent Airport and the Colonel James Jabara Airport Facilities operated by the Wichita Airport Authority of the City; prescribing the terms and details of the Bonds; providing for the payment of the principal of and interest on the Bonds as it becomes due and payable; and making certain other covenants and agreements with respect to the Bonds. Knight moved that the Ordinance be placed on its passage and adopted on the date of its introduction, all in accordance with K.S.A. 12-3001.

## CITY COUNCIL AGENDA

### APPOINTMENTS

#### APPOINTMENTS:

a) Solid Waste Committee.

No appointments were made.

# CITY COUNCIL PROCEEDINGS

JOURNAL 170

APRIL 4, 2000

PAGE 395

b) Boards and Commissions:

Motion --  
-- carried

Martz appointed Rhonda Limon-Lowderman to the Library Board and moved that the appointment be approved.  
Motion carried 7 to 0.

## CONSENT AGENDA

Knight moved that the Consent Agenda be approved in accordance with the recommended action shown thereon.  
Motion carried 7 to 0.

## BOARD OF BIDS

### REPORT OF THE BOARD OF BIDS AND CONTRACTS DATED APRIL 3, 2000.

Bids were opened March 31, 2000, pursuant to advertisements published on:

2000 contract maintenance CIMP area concrete reconstruction - various locations. (/131516/) Traffic to be maintained during construction using flagpersons and barricades. City Council approval date: 12/07/1999. (Districts I, III, and VI)

Barkley - \$277,630.00 (Engineer's estimate)

Holyoke from the north line of 25th Street North to the south line of 26th Street North to serve College Crest Addition - south of 29th Street North, east of Hillside. (472-83079/765571/490682) Traffic to be maintained during construction using flagpersons and barricades. City Council approval date: 03/02/1999. (District I); and Holyoke from the north line of 26th Street North to the south line of 27th Street North to serve College Crest Addition - south of 29th Street North, east of Hillside. (472-83121/765590/490701) Traffic to be maintained during construction using flagpersons and barricades. City Council approval date: 06/15/1999. (District I)

Cornejo & Sons Construction - \$122,498.81 (Aggregate bid total)

Bebe and Irving from the north line of Walker to the west line of Anna to serve West 54 Industrial and Pearl May Jones Additions - south of Kellogg, west of West Street. (472-83129/765594/490705) Traffic to be maintained during construction using flagpersons and barricades. City Council approval date: 07/13/1999. (District IV)

Cornejo & Sons Construction - \$169,150.75

Landscaping 13th Street North in connection with paving from approximately 600 feet east of Rock Road to the east City Limits - 13th Street North, east of Rock Road. (472-83028/706770/208231) Traffic to be maintained during construction using flagpersons and barricades. City Council approval date: 04/20/1999. (District II)

Green Glo - \$15,195.00

A 16-inch water line in South Broadway from 37th Street South to Patterson - Broadway, south of 31st Street South. (448-89372/633702/759149) Traffic to be maintained during construction using flagpersons and barricades. City Council approval date: 01/26/1999. (District III)

WB Carter Construction - \$71,631.10 (Corrected)

Lateral 438, Southwest Interceptor Sewer to serve Unplatted Tracts - north of Central, west of 119th Street West. (468-83030/743815/480503) Traffic to be maintained during construction using flagpersons and barricades. City Council approval date: 10/12/1999. (District V)

Mies Construction - \$33,000.00

Maple Dunes Courts adjacent to Lots 9 through 17, Block 4 to serve Maple Dunes Addition - north of Maple, east of 135th Street West. (472-82831 /765616/490727) Does not affect existing traffic. City Council approval date: 07/01/1997. (District V)

Ritchie Paving - \$33,788.00



# CITY COUNCIL PROCEEDINGS

JOURNAL 170

APRIL 4, 2000

PAGE 396

Lateral 421, Southwest Interceptor Sewer to serve Huntington Place Sixth Addition - south of 13th, west of Maize. (468-82942/743800/480488) Does not affect existing traffic. City Council approval date: 12/22/1998. (District V)

WB Carter Construction - \$6,037.00 (Negotiated to engineer's estimate)

Water distribution system to serve Regency Lakes Addition - north of 21st Street North, west of Greenwich Road. (448-89132/734955/470625) Does not affect existing traffic. City Council approval date: 04/15/1997. (District II)

Mies Construction - \$53,920.00

Knight moved that the contract(s) be awarded as outlined above, subject to check, same being the lowest and best bid within the Engineer's construction estimate, and the and the necessary signatures be authorized. Motion carried 7 to 0.

WATER & SEWER DEPARTMENT/SEWAGE TREATMENT DIVISION: Electrical Testing and Inspection. (184127)

Shelley Electric, Inc. - \$6,400.00 (Total net bid)  
\$ 95.00 (Item 1/cost per man/per hour)  
\$ 95.00 (Item 2/cost per man/per hour)  
12% (Item 3/percentage above cost)

PARK DEPARTMENT/GOLF COURSE MAINTENANCE DIVISION: GOLF COURSE GREENS-MOWER, GREENS & TEE AERATOR MACHINE, FRONT DECK MOWER, AND TOW-TYPE DRESSER. (170282)

Outdoor Equipment - \$35,483.50 (Group I/total net bid)  
\$14,500.00 (Group II/ total)  
\$ 1,000.00 (Group II/total option <deduct>)  
\$16,259.00 (Group III/total)  
\$ 2,000.00 (Group III/total option 1 <deduct>)

HEALTH DEPARTMENT/PERSONAL HEALTH DIVISION: Flu vaccine. (670653)

McKesson General Medical - \$27,000.00 (Alternate net bid)

PUBLIC WORKS DEPARTMENT/FLEET & BUILDINGS DIVISION: CENTURY II Sanitary Sewer and Pump Station (792307)

Dondlinger & Sons Construction Co., Inc. - \$185,000.00\*

\*Subject to City Council approval of budget adjustment

Knight moved that the contract(s) be awarded as outlined above, same being the lowest and best bid, and the necessary signatures be authorized. Motion carried 7 to 0.

## LICENSE APPS.

## APPLICATIONS FOR LICENSES TO RETAIL CEREAL MALT BEVERAGES:

<u>Renewal</u>	<u>2000</u>	<u>(Consumption on Premises)</u>
Bob Scofield	Chug-A-Lug Tavern	5111 West 13th Street North
Mui Fong Yu Tam	Tom's Lotus Garden*	822 South Broadway
Kevin Raven	Taco Tico*	1230 South Rock Road
Kevin Raven	Taco Tico*	929 North Broadway
Kevin Raven	Taco Tico*	3255 East Harry
Kevin Raven	Taco Tico*	3425 East Douglas
Kevin Raven	Taco Tico*	603 East 47th Street
Kevin Raven	Taco Tico*	8629 Irving
Kevin Raven	Taco Tico*	3131 North Rock Road
Kevin Raven	Taco Tico*	311 East Pawnee

# CITY COUNCIL PROCEEDINGS

JOURNAL 170

APRIL 4, 2000

PAGE 397

Kevin Raven	Taco Tico*	1118 West Douglas
Kevin Raven	Taco Tico*	460 North West Street
Kevin Raven	Taco Tico*	1303 North Tyler

(Consumption off Premises)

Son Binh Tran	Ko Gas & Groceries #3	1955 South Washington
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\*General/Restaurant -- 50% or more of gross receipts derived from sale of food.

Motion -- carried

Knight moved that the licenses be approved subject to Staff approval. Motion carried 7 to 0.

## PLANS AND SPECS.

### PLANS AND SPECIFICATIONS:

a) 2000 sanitary sewer reconstruction program; Phase 1 - west of Hillside, south of 13th Street North. (468-83092/620282/660407) Traffic to be maintained during construction using flagpersons and barricades. City Council approval date: 01/25/2000. (District I)

b) 2000 contract maintenance mill and overlay - various locations. (/132282/706786/621326 /405241/ 533243) Traffic to be maintained during construction using flagpersons and barricades. City Council approval date: 12/07/1999. (Districts I, II, IV and VI)

Motion --  
-- carried

Knight moved that the Plans and Specifications be approved and advertised for bids to be submitted to the Board of Bids and Contracts by 10:00 a.m., April 14, 2000. Motion carried 7 to 0.

### SUBDIVISION PLANS AND SPECIFICATIONS.

a) Lateral 432, Southwest Interceptor Sewer to serve Aberdeen Third Addition - north of 21st Street North, east of 119th Street West. (468-83004/743833/480521) Does not affect existing traffic. City Council approval date: 06/22/1999. (District V)

b) Angel, from the west line of Meridian to the east line of the drainage easement on Lot 1, Block 6; Edwards, from the south line of Angel to the south line of Lot 8, Block 4; Edwards Circle, from the north line of Angel to and including the cul-de-sac, and; Angel Court, from the north line of Angel to and including the cul-de-sac to serve Angel Acres Addition - west of Meridian, north of 47th Street South, (472-83154/765611/490722) Does not affect existing traffic. City Council approval date: 04/04/2000 (District IV)

c) Storm Water Drain No. 150 to serve Angel Acres Addition - west of Meridian, north of 47th Street South. (468-83046/751282/485173) Does not affect existing traffic. City Council approval date: 11/02/1999. (District IV)

d) Water distribution system to serve Angel Acres Addition - west of Meridian, north of 47th Street South. (448-89430/734947/470617) Does not affect existing traffic. City Council approval date: 11/02/1999. (District IV)

e. Water distribution system to serve Great Plains Business Park Second Addition - south of 37th Street North, east of Oliver. (448-89450/734953/470623) Does not affect existing traffic. City Council approval date: 02/08/2000. (District I)

Motion --  
-- carried

Knight moved that the Plans and Specifications be approved and advertised for bids to be submitted to the Board of Bids and Contracts by 10:00 a.m., April 14, 2000. Motion carried 7 to 0.

## PRELIMINARY ESTS.

### PRELIMINARY ESTIMATES:

a) 2000 contract maintenance thermal crack repairs (arterials) - Pawnee, west of Meridian. (/132266/) Traffic to be maintained during construction using flagpersons and barricades. City Council approval date: 12/07/1999. (District IV) - \$41,730.00

# CITY COUNCIL PROCEEDINGS

JOURNAL 170

APRIL 4, 2000

PAGE 398

- b) 2000 contract maintenance bridge deck resurfacing of the westbound lanes of Lincoln Bridge over I-135 - Lincoln, east of Hydraulic. (/132449/) Traffic to be maintained during construction using flagpersons and barricades. City Council approval date: 12/07/1999. (District I) - \$214,000.00
- c) 2000 contract maintenance area concrete reconstruction (arterials) - Pawnee, west of Meridian (/132357/) Traffic to be maintained during construction using flagpersons and barricades. City Council approval date: 12/07/1999. (District IV) - \$199,374.00
- d) 2000 contract maintenance quickset slurry seal, surface repairs, and curb repair - at various locations. (/131557/) Traffic to be maintained during construction using flagpersons and barricades. City Council approval date: 12/07/1999. (District I, II, III, V & VI) - \$466,446.00
- e) 2000 contract maintenance heater scarification and overlay - at various location. (/132242//405241/533243) Traffic to be maintained during construction using flagpersons and barricades. City Council approval date: 12/07/1999. (District I, IV, V & VI) - \$792,323.00
- f) Water distribution system to serve Vanview, and other Additions and Plats in the area - south of 61st Street North, east of the Little Arkansas River. (448-89363/734910/470580) Does not affect existing traffic. City Council approval date: 02/02/1999. (District VI) - \$875,000.00

Motion -- carried

Knight moved that the Preliminary Estimates be approved and filed. Motion carried 7 to 0.

## SANITARY SEWER

### **PETITION TO CONSTRUCT A SANITARY SEWER TO SERVE PART OF CARRIAGE HOUSE PLAZA SECOND ADDITION - NORTH OF MCCORMICK, EAST OF TYLER.** (District V)

Agenda Report No. 00-0342.

The Petition has been signed by one owner, representing 100% of the improvement district.

This project will provide sanitary sewer service to a commercial property.

The Petition totals \$12,000. The funding source is special assessments.

Motion -- carried

Knight moved that the Petition be approved and the Resolution be adopted. Motion carried 7 to 0.

#### RESOLUTION NO. R-00-141

Resolution of findings of advisability and Resolution authorizing construction of Lateral 61, Main 4, Southwest Interceptor Sewer, (north of McCormick, east of Tyler), 468-83088,,n the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

## SANITARY SEWER

### **PETITION TO CONSTRUCT A SANITARY SEWER TO SERVE PART OF VILLAGE CHARTERS SECOND ADDITION - NORTH OF 21ST, EAST OF TYLER.** (District V)

Agenda Report No. 00-0343.

The Petition has been signed by one owner, representing 100% of the improvement district.

This project will provide sanitary sewer service to a commercial property.

The Petition totals \$14,200. The funding source is special assessments.

Motion -- carried

Knight moved that the Petition be approved and the Resolution be adopted.. Motion carried 7 to 0.

#### RESOLUTION NO. R-00-142

Resolution of findings of advisability and Resolution authorizing construction of Lateral 447, Southwest Interceptor Sewer, (north of 21<sup>st</sup> Street, east of Tyler), 468-83089, in the City of Wichita, Kansas, pursuant to

# CITY COUNCIL PROCEEDINGS

JOURNAL 170

APRIL 4, 2000

PAGE 399

findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

## PAVING

### **PETITION TO PAVE ANGEL AND EDWARDS IN ANGEL ACRES ADDITION - WEST OF MERIDIAN, NORTH OF 47TH STREET SOUTH.** (District IV)

Agenda Report No. 00-0344.

On November 2, 1999, the City Council approved a Petition to pave Angel and Edwards Streets in Angel Acres Addition. Based on recent bid prices, it is doubtful there is sufficient funding in the original Petition to award a construction Contract.

A new Petition with an increased budget has been submitted. The signature on the new Petition represents 100% of the improvement district.

The original Petition totaled \$208,800. The new Petition totals \$340,000. The funding source is special assessments.

Motion -- carried

Knight moved that the Petition be approved and the Resolution be adopted. Motion carried 7 to 0.

### RESOLUTION NO. R-00-143

Resolution of findings of advisability and Resolution authorizing improving of Angel from the west line of Meridian to the east line of the drainage easement on Lot 1, Block 6; Edwards from the south line of Angel to the south line of Lot 8, Block 4; Edwards Circle from the north line of Angel to and including the cul-de-sac, and; Angel Court from the north line of Angel to and including the cul-de-sac, Project No. 472-83154 (west of Meridian, north of 47<sup>th</sup> Street South), in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

## STREET CLOSURES

### **CONSIDERATION OF STREET CLOSURES/USES.**

There were no street closures/uses considered.

## ANIMAL SHELTER

### **VETERINARIAN SERVICES CONTRACT FOR WICHITA ANIMAL SHELTER.**

Agenda Report No. 00-0345.

The Health Department contracts with a private veterinarian for services performed at the Wichita Animal Shelter. These include routine veterinary care of animals at the shelter, emergency treatment during office hours, and consultation and training for staff. The contract veterinarian also furnishes prescription veterinary medicine and supplies used by Animal Control staff.

Indian Hills Animal Clinic, the current contractor, was the sole respondent to the City's Request for Proposals. Indian Hills has provided veterinary services for the past six years. Indian Hills proposes providing services for a flat monthly rate of \$ 950.00.

Funding for this expenditure is available in the Department's Animal Control budget.

Motion --  
-- carried

Knight moved that the Agreement/Contract be approved and the necessary signatures be authorized. Motion carried 7 to 0.

## TRANSIT SERVICES.

### **CONTRACT FOR TRANSIT MANAGEMENT SERVICES.**

Agenda Report No. 00-0346.

From 1981 through 1999, the City has directly, or through the Wichita Metropolitan Transit Authority, contracted with Ryder/ATE for professional transit management services. The most recent contract was approved on March 2,

# CITY COUNCIL PROCEEDINGS

JOURNAL 170

APRIL 4, 2000

PAGE 400

1999, for services to be provided at a rate of \$7,784 per month for a period of 12 months with services provided on month-to-month basis.

In September 1999, Ryder Systems completed the sale of Ryder Public Transportation Services to FirstGroup PLC. Effective in January 2000, Ryder/ATE, the business segment with which the City had contracted for management services formally changed its name to FirstGroup America, Inc/First Transit.

A new contract has been negotiated with a 3% rate increase, or a rate of \$8,017 per month, becoming effective February 1, 2000. The new contract is a month-to-month contract for a period not-to-exceed 6 months. The new contract was approved by the City Council on February 1st. but the language regarding liability issues was subsequently not approved by FirstGroup America/First Transit. The City's Law Department has renegotiated the liability portion of the contract which has been modified accordingly. Staff is currently examining the long-term management alternatives for transit management.

Funding for the contract is included in the 2000 Department Budget.

Motion --  
-- carried

Knight moved that the Agreement/Contract be approved and the necessary signatures be authorized. Motion carried 7 to 0.

## **HOMELESS SERVICES     HOMELESS SERVICES CONTRACT.**

Agenda Report No. 00-0347.

The City recognizes that homelessness is serious community problem. Over the past several years, the City has taken a number of actions to address this problem, including financial support to assist homeless shelters with offsetting operating costs. City staff has also worked with members of the Homeless Task Force to develop the Comprehensive Plan to address homeless needs. Although the Plan is a thoughtful plan which provides information on the needs of the homeless, it does not provide sufficient information as to whether the providers are producing meaningful outcomes which, if achieved, will make a difference in reducing homelessness in the Wichita community.

On December 14, 1999, the City Council approved funding for services associated with homelessness. It was recognized that a consultant was needed to review the recommendations in the Comprehensive Plan to address homelessness and to also review the work product of the homeless providers. Specifically, additional research is needed to determine the scope of services provided by homeless providers; determine if duplication exists; and to identify if there are ways in which the system can be more efficient in service delivery (this includes increased collaboration and the building of partnerships between agencies, government and the private sector). This analysis should result in a meaningful work product that will be a valuable decision-making tool for the future.

A Request for Proposals (RFP) was issued for consulting services to review, analyze and make recommendations on the homeless plan and to work with providers to develop and/or refine outcomes-based measurements. Two firms responded to the RFP and the proposals were reviewed by a selection committee. Based upon the qualifications and experience of the firm, the selection committee recommends the contract be awarded to Public Solutions, LLC.

This firm has experience with working with coalitions, governments and other organizations. Additionally, they have a strong background in developing and implementing outcomes-based measurements.

The cost of consulting services is \$37,000. Funding from the General Fund was authorized by the City Council on December 14, 1999.

Motion --  
-- carried

Knight moved that the Agreement/Contract be approved and the necessary signatures be authorized. Motion carried 7 to 0.

# CITY COUNCIL PROCEEDINGS

JOURNAL 170

APRIL 4, 2000

PAGE 401

## KS DEPT OF HEALTH

### MEMORANDUM OF AGREEMENT WITH KANSAS DEPARTMENT OF HEALTH AND ENVIRONMENT.

Agenda Report No. 00-0348.

On February 4, 2000, KDHE requested to establish an agreement with the Water & Sewer Department allowing the State to site a temporary storage facility to be used as a collection site for chemicals confiscated from illegal drug manufacturing operations. The request was to site the facility at Sewage Treatment Plant #2 which is located at 2305 E. 57th St. South. The general location on the plant site would be near the Household Hazardous Waste Collection Facility.

The facility will be manufactured off site, then delivered and set up on the working site. It will comply with all local codes and regulations. Staff has researched the proposed installation and foresees no problems with allowing this facility. This cooperative effort with KDHE and law enforcement officials represents a positive contribution in the anti-drug efforts of the State of Kansas.

There will be no financial obligation incurred by the City of Wichita.

Motion --  
-- carried

Knight moved that the Memorandum of Agreement be approved and the necessary signatures be authorized.  
Motion carried 7 to 0.

## LONG TERM CARE

### VOLUNTARY LONG TERM CARE COVERAGE.

Agenda Report No. 00-0320.

As the population continues to age, more and more individuals are faced with the high cost of nursing home and in-home care for dependents and relatives. LTC insurance provides a mechanism whereby the costs of this care can be insured for a fixed monthly premium based upon the age of the employee at the time of enrollment.

The Health Insurance Advisory Committee reviewed proposals from various providers of LTC coverage and found the proposal of UNUM to be the most favorable. Employees can purchase LTC insurance for themselves and/or their spouse through payroll deductions at the group rate. Coverage is also available to other relatives of the employee, at the group rate, through a direct billing from the company to the employee or relative. The City will only be involved in payroll deductions for employees that select this coverage for themselves and/or their spouse. All employees eligible to participate will be guaranteed coverage if they choose to participate during the original offering or at the time they are hired. Coverage availability for spouses and other relatives will be based upon medical underwriting standards.

The entire premium for this coverage will be paid by the employee with no contribution by the City. The City's role will be limited to payroll deductions and premium payments to the insurer.

Motion --  
-- carried

Knight moved that the offering of voluntary long-term care insurance to City employees through Hardman Benefit Plans to be insured by UNUM. be approved. Motion carried 7 to 0.

## PERMIT FEE ADJ.

### PROPOSED BUILDING PERMIT FEE ADJUSTMENT.

Agenda Report No. 00-0350.

The Office of Central Inspection has been a self-sustaining Special Revenue Fund since 1984, and has received no funding from the General Fund since that time. The Office of Central Inspection is funded primarily through building construction permit fees, building plan review fees, and business licensing fees.

On December 12, 1995, the City Council adopted Resolution R-95-560 setting forth the intent of the City Council with respect to Office of Central Inspection budget reserve levels, permit discounts, increases, and other matters pertaining to the continued operation of the Office of Central Inspection as a Special Revenue Fund.

A key component of Resolution R-95-560 was the City Council's stated intent to maintain the Office of Central Inspection operating budget cash reserve at an amount equal to between 3-4 months of the annual OCI expenditure

# CITY COUNCIL PROCEEDINGS

JOURNAL 170

APRIL 4, 2000

PAGE 402

budget. Per the Resolution, permit fees will be discounted or increased as needed to maintain the 3-4 month target reserve level.

The Office of Central Inspection operating reserve has recently fallen below the 3-month target level, and presently stands at 2.7 months. Based on revenues received in January and February, 2000, it appears the reserve will not increase to the 3-month minimum level in the year 2000 if a building permit fee increase is not imposed.

On March 24, 2000, the Central Inspection and Finance Department staffs met with the Wichita Area Builders Association (WABA) Industry Board (the Industry Board was established in response to Resolution R-95-560). The budgetary issues and proposed permit fees increases were reviewed; the Industry Board concurred that an immediate 15% building permit fee increase should be implemented in accordance with Resolution R 95-560. The Board further concurred that it would support additional building permit fee increases, if needed, when staff and the Board meet again in late June or early July 2000.

Staff anticipates that an additional 10% building permit fee increase may be necessary in the third quarter of the year 2000 to assure that the operating reserve level increases to, and is subsequently maintained at, the minimum 3-month target reserve level.

If the 15% fee increase is approved, the fee increases will be implemented on April 10, 2000. Any person obtaining a building permit or submitting building permit plans on or after this date will pay the increased fee amount.

Formal City Council approval of building permit fee increases or discounts is not required by Resolution R-95-560; however, because this is a budgetary matter which effects the annual City budgeting process, Council review and approval of the proposed fee increase was sought.

Motion --  
-- carried

Knight moved that the 15% increase in building permit fees, effective April 10, 2000, be approved. Motion carried 7 to 0.

## CENTURY II

### CENTURY II/EXPO HALL SANITARY SEWER AND PUMP STATION. (District I)

Agenda Report No. 00-0351.

The Century II/Expo Hall sewer system requires improvements to reduce recurring problems. In 1999, a project in the amount of \$185,000 was established using Convention and Tourism Fund cash. At that time, Professional Engineering Consultants, PA (PEC) was selected and approved by the City Council to perform engineering services in an amount not to exceed \$27,500.

The identified sewer work is needed to correct the problems in Century II and Expo Hall.

PEC prepared bid documents to install a new sewer lift station and force main to resolve the sewer problems at Century II/Expo Hall. Bids were received on March 24, 2000 in the amount of \$185,000. Engineering, construction, and contingency costs, however, are expected to raise the total project cost \$46,000 to \$231,000.

Two other projects are in progress at Century II and Expo Hall which are also funded with Convention and Tourism Fund cash. Both of these projects are currently well within their budgets.

The existing project budget for the sanitary sewer corrections at Century II/Expo Hall is \$185,000. With engineering and construction costs, and a 10% contingency, a total budget of \$231,000 is required. Projections indicate that \$57,000 in under-expenditures will be available from the Expo Hall Weatherproofing and Stagehouse Roof projects. A portion of these funds will be transferred to the project to fully fund the required work.

Budget adjustments in excess of \$10,000 require City Council approval.

Motion -- carried

Knight moved that the project and budget transfers be approved. Motion carried 7 to 0.

# CITY COUNCIL PROCEEDINGS

JOURNAL 170

APRIL 4, 2000

PAGE 403

## **WATER UTILITY IMP. WEBB ROAD PUMP STATION. (District II)**

Agenda Report No. 00-0352.

Most of the City receives water pumped directly from the Hess Pump Station which is located near the Water Treatment Plant. Elevation of the City increases in the northeast corner so water must be pumped again in order to have adequate pressure in that area. There are two pump stations that provide the additional pressure: the 37th St. Pump Station located on 37th St. between Woodlawn and Rock Rd., and the Webb Rd. Pump Station located at 21st and Webb Rd.

On March 10, 1998, the City Council approved a project to install an additional variable speed pump at the Webb Rd. Pump Station to improve service. The project envisioned installing an additional variable speed pump with a capacity of about three million gallons-per-day (mgd). Since the initiation of the project, the Water Master Plan has identified a need for additional pumping capacity from the Webb Rd. Pump Station. The Plan recommendation is to install a five mgd variable speed pump rather than a three mgd. The installation of a larger pump will require significant modifications in the electrical system at the pump station, along with a larger variable frequency drive.

The modifications will increase the cost beyond the original budget. The current CIP (W-555) has a budget of \$116,000; however, the revised project will cost approximately \$480,000. There are two projects in the CIP that are being completed and will have savings available to apply to the proposed improvements: demolition of the Murdock St. Pump Station (W-544, \$300,000), and the Lincoln St. Pump Station (W-543, \$270,000).

It is recommended that a total of \$364,000 be transferred from the two projects to CIP W-555 to allow for funding of the recommended improvements.

The transfer of funds will not increase the total budget for the Capital Improvement Program.

City Council authorization is required for fund transfers in excess of \$10,000.

Motion --

Knight moved that the transfer of \$190,000 from W-544 and \$174,000 from W-543 to increase the funding authority in CIP W-555 to \$480,000 and the Notice of Intent to Publish. be approved; and the Resolution be adopted. Motion carried 7 to 0.

-- carried

### **RESOLUTION NO. R-00-144**

A Resolution of the City of Wichita, Kansas, declaring it necessary to construct, reconstruct, alter, repair, improve, extend, and enlarge the water and sewer utility owned and operated by the City, and to issue revenue bonds in a total principal amount which shall not exceed \$480,000, exclusive of financing costs, for the purpose of paying certain costs thereof, and providing for the giving of notice of such intention in the manner required by law, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight

## **NORTHEAST SEWER FORCE MAIN INSTALLATION AT GREENWICH AND KELLOGG. (District II)**

Agenda Report No. 00-0353.

On October 20, 1998, the City Council approved the Northeast Sewer Service Feasibility Study and related Capital Improvement Projects. The intention is to expand the Urban Growth /Service Area for the City of Wichita. Mid-Kansas Engineering Consultants was hired to prepare the plans for the project. On March 14, 2000, the City Manager was advised by memo from the Director of Water and Sewer of the need for the installation of a portion of force main and water service line, as a matter of public exigency due to pending site redevelopment. Because of the urgency, the installation of the force main and water service line was approved.

The owner of the property on the northwest corner of Kellogg and Greenwich is currently in the process of redevelopment, and a contractor is working to construct several new facilities on the site. The force main for the northeast sewer service improvement will cross their property within an easement. Because of the timing of the developer's construction, it is necessary to install the portion of the force main and water service line that crosses the property ahead of construction, so as not to delay the development. Dondlinger & Sons Construction Company, Inc., has submitted an estimate of \$15,400 for the installation of the force main and water service. The construction estimate is very reasonable.



# CITY COUNCIL PROCEEDINGS

JOURNAL 170

APRIL 4, 2000

PAGE 404

Funding for this project is available in CIP S-515, Northeast Sewer Improvements.

Motion -- carried

Knight moved that the expenditure be approved. Motion carried 7 to 0.

## PROPERTY ACQ.

### ACQUISITION OF 72 MISSION, EAST KELLOGG IMPROVEMENT PROJECT. (District II)

Agenda Report No. 00-0354.

In October of 1998, staff was instructed to pursue opportunity purchases in the Kellogg corridor. Opportunity purchases arise when an owner contacts the City and indicates a willingness to sell their property. The owners of 72 Mission, Mr. And Mrs. Larry Bell, have expressed an interest in selling this property to the City. The site contains 19,371 square feet and is improved with a 2,525 square foot brick, ranch-style single family residence. The property has three bedrooms and two and one-half baths. The planned expansion of Kellogg will require the removal of the improvements and utilization of the entire site.

The property was appraised at \$176,000. The owner has located an acceptable replacement dwelling that is currently available for \$185,000 and has agreed to accept this amount for the property at 72 Mission. Early acquisition will avoid future relocation and moving expenses. The property appears to be in good condition with no deferred maintenance noted. The residence will be leased until is needed for highway project.

The Capital Improvement Program includes funds for opportunity acquisitions. The funding source will be General Obligation Bonds. A budget of \$192,000 is requested. This includes \$185,000 for the acquisition, \$5,000 for demolition and \$2,000 for closing costs and title insurance.

Motion --  
-- carried

Knight moved that the budget and the Contract be approved; and the necessary signatures be authorized. Motion carried 7 to 0.

## PROPERTY ACQ.

### Acquisition of 2222, 2315, and 2731 East 9th Street. (District I)

Agenda Report No. 00-0355.

The property at 2222, 2315 and 2731 East 9th have been identified as potential opportunity purchases. 2222 East 9th is owned by Edmond Brown and is developed with an 800 square foot wood-frame retail building on a 6,370 square foot lot. The building is currently being operated as a smoke shop by James Penn, the contract owner. 2315 East 9th is owned by O'Neil Davis, and has a 630 square foot vacant retail building on a 2,750 square foot lot. This tract is adjacent to a city-owned 19,000 square foot vacant tract. The property at 2731 E. 9th, is also owned by O'Neil Davis, and is developed with 660 square foot residential structure, which is currently vacant.

The owners of 2222 E. 9th have agreed to sell the property for \$22,500.00 and the owner of 2315 and 2731 E. 9th has agreed to sell 2315 E. 9th for \$10,000.00 and 2731 E. 9th for \$15,500.00 for a total purchase price of \$48,000.00. When acquired, the structures will be demolished and the parcels held for redevelopment.

A budget of \$54,000 is requested. This includes \$48,000 for the acquisition, \$4,500 for demolition costs and \$1,500 for closing costs, and title insurance. The source of funding is Property Management Special Revenue Fund Contingency.

Motion --  
-- carried

Knight moved that the budget and the Contract be approved; and the necessary signatures be authorized. Motion carried 7 to 0.

## IRB - RAND

### INDUSTRIAL REVENUE BONDS, SERIES XV, 1995, SERIES I, 1996, SERIES IV-A, 1998, AND SUBORDINATED TAXABLE INDUSTRIAL REVENUE BONDS, SERIES IV-B, 1998, RAND GRAPHICS, INC. -- CONSENT TO EASEMENT AND AUTHORIZATION OF LEASE AGREEMENT. (District V)

Agenda Report No. 00-0356.

Ralph Vautravers and Rand Graphics, Inc., have asked the City to subordinate its Site Lease interest in their Hoover Road IRB project to a utility easement requested by Southwestern Bell Telephone. As the first step to

# CITY COUNCIL PROCEEDINGS

JOURNAL 170

APRIL 4, 2000

PAGE 405

accommodate the requests relating to the easement and subordination of the City's Site Lease interest, an IRB Lease amendment was prepared so that the requested action would not breach the City's Lease covenants. The remaining step for the City is adoption of a Resolution consenting to the easement and authorizing the Subordination Agreement itself.

In order to expedite approval and signature of the Subordination Agreement, the approving Resolution has been set to follow second reading of the Ordinance authorizing the Lease Amendment. Under the terms of the Resolution, delivery of the Subordination Agreement will follow publication of the Ordinance and execution of the Lease Amendment.

Apart from the costs to publish the Ordinance authorizing the Lease Amendment, there will be only minor copying and postage costs associated with the execution and delivery of the Subordination Agreement and Lease Amendment.

Motion --  
-- carried

Knight moved that the Southwestern Bell utility easement authorizing the Subordination Agreement be approved and the Resolution and Ordinance be adopted. Motion carried 7 to 0.

## RESOLUTION NO. R-00-145

A Resolution, consenting to creation of a utility easement and subordination of the City's lease interest thereto, with respect to certain industrial revenue bond property financed with proceeds of industrial revenue bond property financed with proceeds of Industrial Revenue Bonds, Series XV, 1995, Series I, 1996, and Series IV-A and IV-B, 1998 (Rand Graphics, Inc), presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

## ORDINANCE NO. 44-625

(first read March 28, 2000).

An Ordinance of the City of Wichita, Kansas, authorizing the execution of a first amendment to Lease Agreement by and between the City of Wichita, Kansas and Rand Graphics, Inc. in connection with the project financed by the City's Industrial Revenue Bonds, Series XV, 1995, Series I, 1996, and Series IV-A, 1998 (Rand Graphics, Inc.), and the City of Wichita's subordinated taxable Industrial Revenue Bonds, Series IV-B, 1998 (Rand Graphics, Inc.), read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

## ORDINANCES

### SECOND READING ORDINANCES: (FIRST READ MARCH 28, 2000)

- a) (490-436/763334/472-82191) Paving project assessments - construction of decel lane on Maize Road to serve Chadsworth Second Addition. (District IV)

## ORDINANCE NO. 44-628

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of a decel lane on Maize Road to serve Chadsworth Second Addition - north of 21st, east of Maize, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

- b) Alternative correctional housing.

## ORDINANCE NO. 44-629

An Ordinance amending Sections 20.08.040 and 20.08.110 of the Code of the City of Wichita, Kansas, pertaining to scheduled meetings of the Alternative Correctional Housing Regulatory Board and minimum standards for correctional placement facilities, and repealing the originals of said Sections, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

# CITY COUNCIL PROCEEDINGS

JOURNAL 170

APRIL 4, 2000

PAGE 406

- c) District Advisory Boards.

## ORDINANCE NO. 44-634

An Ordinance of the City of Wichita, Kansas pertaining to District Advisory Boards; amending Section 2.61.020 of the Code of the City of Wichita; and repealing the original of said Section, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

- d Multifamily Housing Revenue Bonds, Series IX-B, 1995 – Christian Relief Services Kansas Affordable Housing Corporation, Inc./Brentwood Apartments – authorization of indenture amendment. (District II)

## ORDINANCE NO. 44-630

An Ordinance of the City of Wichita, Kansas, approving the form of Supplemental Trust Indenture No. 1 to a certain trust indenture entered into by the City in connection with the issuance by the City of its Junior Lien Multifamily Housing Revenue Bonds, Series IX-B, 1995 (Brentwood Apartments Project), read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

- e) Z-3291 - North side of Kellogg, east of Greenwich Road. (District II)

## ORDINANCE NO. 44-631

An Ordinance changing the zoning classifications or districts of certain lands located in the City of Wichita, Kansas, under the authority granted by Section 28.04.210, the Code of the City of Wichita, Kansas, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.. Z-3291

- f) SCZ-0788 - Southwest corner of 37th Street North and Ridge Road. (District V)

## ORDINANCE NO. 44-632

An Ordinance changing the zoning classifications or districts of certain lands located in the City of Wichita, Kansas, under the authority granted by Section 28.04.210, the Code of the City of Wichita, Kansas, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.. SCZ-0788

- g) A 00-04 - Southwest corner of 37th Street North and Ridge Road. (District V)

## ORDINANCE NO. 44-633

An Ordinance including and incorporating certain blocks, parcels, pieces, and tracts of land within the limits and boundaries of the City of Wichita, Kansas, and relating thereto, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight. A00-04

### **FIRST READING ORDINANCE.**

- a) Assessments of Sidewalk repairs.

## ORDINANCE

An Ordinance making a special assessment to pay for the improvement of and providing a tax levy for the cost of construction of sidewalks in the City of Wichita, Kansas, introduced and under the rules laid over..

# CITY COUNCIL PROCEEDINGS

JOURNAL 170

APRIL 4, 2000

PAGE 407

## PLANNING AGENDA

Marvin Krout Director of Planning stated that Items 27, 28, 30 and 31 could be considered as consensus Items unless the Council desired to withhold other items.

Motion -- Knight moved that Planning Agenda Items 27, 28, 30 and 31 be approved as consensus Items.  
-- carried Motion carried 7 to 0.

**D-1785**

### **D-1785 - DEDICATION OF A UTILITY EASEMENT FOR PROPERTY LOCATED ON THE WEST SIDE OF ROCK ROAD, SOUTH OF 37TH STREET NORTH.** (District I)

Agenda Report No. 00-0357.

This Dedication is a requirement of an associated Lot Split Case (No. L/S-1038) and is being dedicated to allow construction and maintenance of public utilities.

The Dedication has been reviewed and approved by the Planning Commission.

Motion --carried Knight moved that the dedication be received and filed. Motion carried 7 to 0.

**S/D 99-52**

### **S/D 99-52 - PLAT OF UNITED WAREHOUSE ADDITION LOCATED ON THE SOUTH SIDE OF 45TH STREET NORTH, EAST OF OLD LAWRENCE ROAD.**

Agenda Report No. 00-0358.

Staff Recommendation: Approve the plat.  
MAPC Recommendation: Approve the plat. (12-0)

This plat is zoned GI, General Industrial and is located in the County within three miles of the City's boundary.

The site has been approved by the Health Department for the use of on-site sanitary sewer and water facilities. A restrictive covenant has been provided which prohibits non-domestic uses on the site until public sewer is available.

This plat has been reviewed and approved by the Planning Commission, subject to conditions and recording within thirty (30) days.

The restrictive covenant will be recorded with the Register of Deeds.

Motion -- carried Knight moved that the Plat be approved and the necessary signatures be authorized. Motion carried 7 to 0.

(Item No. 29)

**S/D 99-63**

### **S/D 99-63 - PLAT OF S & D EQUIPMENT ADDITION LOCATED ON THE WEST SIDE OF WEST STREET, NORTH OF DOUGLAS.** (District IV)

Marvin Krout Director of Planning reviewed the Item.

Agenda Report No. 00-0359.

Staff Recommendation: Approve the plat.  
MAPC Recommendation: Approve the plat. (11-0)

A zone change (Z-3328) has been approved for this site from B, Multi-Family Residential and SF-6, Single-Family to LC, Limited Commercial. Municipal water and sanitary sewer are available to serve the site.

To provide for shared access between this lot and the adjoining lot to the north, a joint access agreement has been provided. The applicant and MAPC rejected the Planning Staff's recommendation that this lot owner agree to share access with the lot to the south when it is rezoned and developed. Instead, the applicant has provided a letter to MAPD indicating that he may agree to future shared access with the adjoining lot to the south.

# CITY COUNCIL PROCEEDINGS

JOURNAL 170

APRIL 4, 2000

PAGE 408

This plat has been reviewed and approved by the Planning Commission, subject to conditions and recording within thirty (30) days. Publication of the Ordinance should be withheld until such time as the Plat is recorded with the Register of Deeds.

The joint access agreement will be recorded with the Register of Deeds.

Mayor Knight

Mayor Knight inquired whether anyone wished to be heard.

Bob Kaplan

Bob Kaplan, attorney representing the applicant, said the City Council has no legal jurisdiction to return this Item to the MAPC. State statutes have jurisdiction over plats and the Council only has authority to accept or deny.

Mr. Kaplan said the applicant has large trucks with trailers and two points of access are needed. The applicant is willing to share the second driveway unless the south user makes it impossible to do so.

Mr. Kaplan said his position on the policy would be not to challenge unless it contravenes state statutes.

Council Member Cole

Council Member Cole spoke in favor of giving the Planning Commission an opportunity to look at the case anew.

Gary Rebenstorf

Director of Law stated that in his legal opinion, the City Council has the authority to return this matter to the MAPC for review.

Council Member Rogers

Council Member Rogers said he hoped the MAPC would look at access management in depth. Council Member Rogers would also like to have the MAPC discuss who is responsible for costs associated with ingress/egress on arterials, and rationale on how it is to be handled.

Mayor Knight momentarily absent; Vice Mayor Rogers in the Chair.

Marvin Krout

Director of Planning said there is policy basis and policy statements encouraging this kind of access management.

Motion --

-- carried

Gale moved that this Item be referred back to MAPC and returned to the City Council at the April 18, 20000, meeting. Motion carried 7 to 0.

**S/D 00-03**

## **S/D 00-03 - PLAT OF STARWEST ADDITION LOCATED ON THE NORTHWEST CORNER OF 37TH STREET NORTH AND RIDGE ROAD.** (District V)

Agenda Report No. 00-0360.

Staff Recommendation: Approve the plat.

MAPC Recommendation: Approve the plat. (13-0)

This site is on the same agenda to be annexed into the City of Wichita. A zone change (SCZ-0796) from SF-20, Single-Family Residential to LC, Limited Commercial was approved for this site subject to platting. This site is also subject to the Starwest Commercial Community Unit Plan (DP-250). A CUP Certificate was provided identifying the approved Community Unit Plan.

To provide for shared access between the lots, a joint access agreement has been provided. In order to assure access between the plat and the property to the north, a cross-lot circulation agreement has been submitted. In order to provide for the ownership and maintenance of the reserves, the applicant has submitted a restrictive covenant. Petitions, 100%, have been submitted for sanitary sewer, City water, drainage and paving improvements. A Certificate of Petitions have also been submitted.

This plat has been reviewed and approved by the Planning Commission, subject to conditions and recording within thirty (30) days. Publication of the Ordinance should be withheld until such time as the Plat is recorded with the Register of Deeds.

The Certificate of Petitions, CUP Certificate, joint access agreement, cross-lot circulation agreement, and restrictive covenant will be recorded with the Register of Deeds.

Motion --

-- carried

Knight moved that the documents and plat be approved; the necessary signatures be authorized; the Ordinance SCZ-0796 be placed on first reading; and the Resolutions be adopted. Motion carried 7 to 0.

# CITY COUNCIL PROCEEDINGS

JOURNAL 170

APRIL 4, 2000

PAGE 409

## RESOLUTION NO. R-00-146

Resolution of findings of advisability and Resolution authorizing construction of Water Distribution System Number 448-89468 (north of 37<sup>th</sup> Street North, west of Ridge), in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

## RESOLUTION NO. R-00-147

Resolution of findings of advisability and Resolution authorizing construction of Lateral 450, Southwest Interceptor Sewer (north of 37<sup>th</sup> Street North, west of Ridge), Project No. 468-83093, in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

## RESOLUTION NO. R-00-148

Resolution of findings of advisability and Resolution authorizing construction of Storm Water Drain No. 151 (north of 37<sup>th</sup> Street North, west of Ridge), Project No. 468-83094, in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

## RESOLUTION NO. R-00-149

Resolution of findings of advisability and Resolution authorizing construction of Storm Water Sewer No. 536 (north of 37<sup>th</sup> Street North, west of Ridge), Project No. 468-83095, in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

## RESOLUTION NO. R-00-150

Resolution of findings of advisability and Resolution authorizing improving of 37<sup>th</sup> North from the west line of Lot 1, Starwest Addition, east to the west line of Ridge Road, Project No. 472-83223 (north of 37<sup>th</sup> Street North, west of Ridge), in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

## RESOLUTION NO. R-00-151

Resolution of findings of advisability and Resolution authorizing construction of accel/decel lane on 37<sup>th</sup> Street North together with a left turn lane on 37<sup>th</sup> Street North and major entrance, Project No. 472-83224, (north of 37<sup>th</sup> Street North, west of Ridge), in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

## RESOLUTION NO. R-00-152

Resolution of findings of advisability and Resolution authorizing construction of an accel/decel lane on Ridge Road from 37<sup>th</sup> North to the north line of Lot 1 together with a left turn lane in Ridge Road and major entrance, Project No. 472-83225 (north of 37<sup>th</sup> Street North, west of Ridge), in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

## RESOLUTION NO. R-00-153

Resolution of findings of advisability and Resolution authorizing medial improvements for Ridge Road and 37<sup>th</sup> Street North to allow right turns in and out to be constructed in accordance with plans and specifications to be furnished by the City Engineer, Project No. 472-83226 (north of 37<sup>th</sup> Street North, west of Ridge), in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

# CITY COUNCIL PROCEEDINGS

JOURNAL 170

APRIL 4, 2000

PAGE 410

## RESOLUTION NO. R-00-154

Resolution of findings of advisability and Resolution authorizing installation of a fully actuated traffic signal and pavement markings as necessary, to serve the intersection of Ridge Road and 37<sup>th</sup> Street North (north of 37<sup>th</sup> Street North, west of Ridge), Project No. 472-83227, in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

## ORDINANCE

An Ordinance changing the zoning classifications or districts of certain lands located in the City of Wichita, Kansas, under the authority granted by Section 28.04.210, the Code of the City of Wichita, Kansas, introduced and under the rules laid over. SCZ-0796

A 00-05

**A 00-05: RITCHIE INVESTMENT CO., REQUESTS THE ANNEXATION OF PROPERTY GENERALLY LOCATED AT THE NORTHWEST CORNER OF 37TH STREET NORTH AND RIDGE ROAD, TO THE CITY OF WICHITA, KANSAS.** (District V)

Agenda Report No. 00-0361.

The City has received a request to annex a 68.55 acre area situated at the NW corner of 37th Street North and Ridge Road. The southeasterly corner of the site abuts the current City limits. The property owner is planning to develop the property with 45 Single Family homes and 270,000 sq. ft. of commercial development, with the staging of development occurring over a three to four year period beginning 2000. The Metropolitan Planning Commission approved the final plat for a 28.5 acre portion of the proposed area (Starwest Addition) on January 27, 2000.

Land Use and Zoning: The annexation site consists of one tract of undeveloped land, zoned "LC" Limited Commercial and "SF-20" Single Family Residential. Land to the east, south and west of the site is currently zoned "SF-20" Single Family Residential with "LC" Limited Commercial at the corners of the intersection of 37th Street N and Ridge Road. Land to the southeast of the site is zoned "LC" Limited Commercial, "GO" General Office and "SF-6" Single Family Residential. Although the land directly north of the site is currently zoned "SF-20" Single Family Residential, there has been a request submitted to the Metropolitan Area Planning Department for a 11.5 acre C.U.P. (DP-253 Kaylor C.U.P.) which, if approved, would require a change in zoning. The land directly south of the annexation site is also being considered for annexation with a proposed zoning change from "LC" Limited Commercial and "SF-20" Single Family Residential to "LC" Limited Commercial and "NR" Neighborhood Retail in association with a separate C.U.P. The proposed zoning changes for the subject area are "LC" Limited Commercial (28.5 acres) and "SF-6" Single Family Residential (40.05 acres).

Public Services: The City Water and Sewer Department indicates that the subject property will have access to a 20 inch water main that is currently being installed along the Ridge Road right-of-way, between 29th Street North and 37th Street North. As for sewer, the property proposed for annexation will have access to City sewer via a 10 inch line along the Ridge Road right-of-way, between 29th Street North and 37th Street North, that is also presently under construction.

Street System: Once all stages of the development have been completed, the property proposed for annexation will have access to 37th Street North, a two-lane unimproved section line road, which serves the area as the nearest major east-west road. The site will also have access to Ridge Road, a four-lane improved section line road, which serves the area as the nearest major north-south road. Currently, there are no plans to further improve that portion of Ridge Road or that portion of 37th Street North in the City of Wichita 2000-2009 C.I.P. or the 2000-2004 Sedgwick County C.I.P., but petitions for turn lanes and signalization are being taken with the plats and being approved for this area.

Public Safety: The Wichita Fire Department can serve this site within an eight (8) to nine (9) minute approximate response time from City Station #16 located at 1632 N. Tyler Road. Upon annexation, police protection will be provided to the area by the Patrol West Bureau of the Wichita Police Department, headquartered at 661 N. Elder.

Parks: Sedgwick County Park, a 480 acre regional park, is located approximately two (2) miles south of the property proposed for annexation. The park may be accessed through entrances located off 21st Street North. The Wichita-Sedgwick County Parks and Open Space Master Plan: Parks and Pathways indicates no plans for future parks near the area proposed for annexation.

# CITY COUNCIL PROCEEDINGS

JOURNAL 170

APRIL 4, 2000

PAGE 411

School District: The property is located in Unified School District 266 (Maize School District). Annexation will not change the school district.

Urban Growth Area & Policy 32: The property is located outside of the urban growth area of the City of Wichita as shown in the 1996 amended Wichita-Sedgwick County Comprehensive Plan. Although the property is located outside of the current Policy 32 urban service area, the property is located within the 2010 urban service area, as proposed in the draft 1999 update to the Comprehensive Plan.

The property proposed for annexation is currently vacant. The total appraised value of the property is \$6,270, resulting in an assessed value of \$752. Using the current City levy (\$31.406/\$1000 x assessed valuation), this roughly yields \$24 in City annual tax revenues for the unimproved property. The future assessed value of this property will depend on the timing of development, the type of development and the current mill levy. According to the evaluation sheet submitted by the property owner, the property upon 100% completion will yield an appraised value of \$19,800,000, resulting in an assessed value of \$4,464,000. Assuming the current City levy remains about the same (\$31.406/\$1000 x assessed valuation), this would roughly yield \$140,196 in City annual tax revenues.

The property is eligible for annexation under K.S.A. 12-520.

Motion --  
-- carried

Knight moved that the annexation request be approved and the annexation Ordinance be placed on first reading. Motion carried 7 to 0.

## ORDINANCE

An Ordinance including and incorporating certain blocks, parcels, pieces, and tracts of land within the limits and boundaries of the City of Wichita, Kansas, and relating thereto, introduced and under the rules laid over. A 00-05

## AIRPORT AGENDA

### **AIRPORT AGREEMENT AIRLINE LEASE AND USE AGREEMENT.**

Agenda Report No. 00-0362.

It is the practice of the Wichita Airport Authority to establish the business understanding with the passenger carrying airlines serving Wichita Mid-Continent Airport through the execution of a lease and use agreement. Currently, the WAA has agreements with 14 airlines. The term of the proposed agreement is three years. The current agreements expire on April 30, 2000.

The airline lease and use agreement establishes the landlord/tenant relationship. Involved is the determination of exclusively leased space, preferential use space, and joint use space and the costs of operating the space. Also established are landing fees based upon activity of each airline and landed weights.

Approximately 1/3rd of the operating revenues of the Authority are derived from these agreements. The rates and charges are based upon costs of operation and debt service pursuant to DOT Policy, Federal Code, and U. S. Supreme Court rulings. The estimated annual revenues of \$4 Million are the result of variable rate structures established and agreed to by the airlines.

Motion --  
-- carried

Knight moved that the Agreement/Contract be approved and the necessary signatures be authorized. Motion carried 7 to 0.

### **AIRPORT AGREEMENT SUPPLEMENTAL AGREEMENT - INTRUST BANK, N.A.**

Agenda Report No. 00-0363.

In 1997, proposals were solicited from area banks and credit unions to provide automatic teller services (ATM) in the terminal building at Wichita Mid-Continent Airport. Responses were received from three entities. The entity proposing the most favorable offer to the Airport Authority was INTRUST Bank. A one-year agreement was entered into and later extended for two additional years, through June 30, 2000.



# CITY COUNCIL PROCEEDINGS

JOURNAL 170

APRIL 4, 2000

PAGE 412

Intrust, at its expense, provided and installed the ATM located in the terminal building, and is responsible for all maintenance associated with the operation of this machine. The ATM has proven to be of value to the people using Mid-Continent Airport, in addition to providing a revenue source to the WAA.

Revenue to the WAA is a flat fee of \$300 per month in addition to 50% of the surcharge income generated from users of the ATM. Surcharge revenue to the WAA in 1999 was \$18,869.

Motion --  
-- carried

Knight moved that the Agreement/Contract be approved and the necessary signatures be authorized. Motion carried 7 to 0.

## **AIRPORT AGREEMENT EXECUTIVE LIMOUSINE AGREEMENT.**

Agenda Report No. 00-0364.

The WAA has received a request from Executive Limousine to provide limousine service to and from Wichita Mid-Continent Airport. Executive Limousine has been operating in the City of Wichita for the past seven years. The company is currently in the process of working with the metropolitan transit authority and the City Law Department to complete the inspections and permits necessary to operate within the city and to serve Mid-Continent Airport. Language is included within the agreement which states that its approval is contingent upon Executive Limousine receiving license approval through the City.

The limousine service would be an enhancement to the existing ground transportation services provided to the users of Mid-Continent Airport. In addition to limousines, Executive Limousine also operates towncars and a 15-passenger van.

While the revenue to the WAA for the provision of this service is not significant (\$150 per month), it does provide a quality service for travelers using Wichita Mid-Continent Airport.

Motion --  
-- carried

Knight moved that the Agreement/Contract be approved and the necessary signatures be authorized. Motion carried 7 to 0.

## **AIRPORT AGREEMENT EMU EXPRESS AGREEMENT.**

Agenda Report No. 00-0365.

EMU EXPRESS has been providing shuttle/van services to and from Wichita Mid-Continent Airport since June 1998.

In that EMU is leasing space within the terminal building, it is proposed that a new agreement be entered into in order to include additional language to cover issues which may arise. Also, the proposed agreement is consistent with the new agreement entered into with Executive Limousine, which also provides ground transportation services.

Revenue to the WAA for the provision of this service is \$150 per month.

Motion --  
-- carried

Knight moved that the Agreement/Contract be approved and the necessary signatures be authorized. Motion carried 7 to 0.

## **EXECUTIVE SESSION**

Motion --  
-- carried

Knight moved that the City Council recess to executive session to consider consultation with legal counsel on matters privileged in the attorney-client relationship relating to pending litigation, and legal advice; and the City Council return from executive session at 10:45 a.m. Motion carried 7 to 0.

## **RECESS**

The City Council recessed at 10:30 a.m. and returned at 10:45 a.m.

Mayor Knight

Mayor Knight announced that no action was necessary as a result of the executive session.

# CITY COUNCIL PROCEEDINGS

JOURNAL 170

APRIL 4, 2000

PAGE 413

## RECESS

The City Council recessed at 10:45 a.m. and returned at 11:30 a.m. to take up Item No. 8.  
(Action is shown in Agenda Order.)

## ADJOURNMENT

The City Council meeting adjourned at 11:35 a.m.

Pat Burnett CMC  
City Clerk